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RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/52/613)*]

52/77. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands

A

General

The General Assembly,

Having considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-first session on the individual Territories covered by the present resolution,

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[1] A/52/23 (Part VI), chap. X. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23.*

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Recalling its resolution 1541 (XV) of 15 December 1960, containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing its concern that thirty-seven years after the adoption of the Declaration there still remains a number of Non-Self-Governing Territories,

Acknowledging the significant achievements by the international community towards the eradication of colonialism in accordance with the Declaration, and conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by the year 2000,

Taking note of the positive constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information, while also acknowledging the need for recognition to be given to expressions of self-determination by the peoples of the Territories consistent with practice under the Charter,

Recognizing that in the decolonization process there is no alternative to the principle of self-determination as enunciated by the General Assembly in its resolutions 1514 (XV), 1541 (XV) and other resolutions,

Noting with appreciation the continuing exemplary cooperation of New Zealand, as an administering Power, in the work of the Special Committee, and welcoming the recent constitutional developments in Tokelau,

Welcoming the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland that it continues to take seriously its obligations under the Charter to develop self-government in the dependent Territories and, in cooperation with the locally elected Governments, to ensure that their constitutional frameworks continue to meet the wishes of the people, and the emphasis that it is ultimately for the peoples of the Territories to decide their future status,

Welcoming also the stated position of the Government of the United States of America that it supports fully the principles of decolonization and takes seriously its obligations under the Charter to promote to the utmost the well-being of the inhabitants of the Territories under United States administration,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Aware of the usefulness both to the Territories and to the Special Committee of the participation of appointed and elected representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must not take place without the active involvement and participation of the people of that Territory,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in resolutions 1514 (XV), 1541 (XV) and other resolutions of the General Assembly,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, and considering that the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting that the Special Committee held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997, a Caribbean regional seminar to review the political, economic and social conditions in the Territories,

Mindful that in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for the Committee to be apprised by the administering Powers, and to receive information from other appropriate sources, concerning the wishes and aspirations of the peoples of the Territories,

Mindful also in this connection that the Special Committee considers the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, as a helpful means to fulfil its mandate, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful further that some Territories have not had any United Nations visiting mission for a long period of time, and that no such visiting missions have been sent to some of the Territories,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and regional institutions such as the Caribbean Development Bank,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, including, if they so wish, independence, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Reaffirms also* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with legitimate political status options, including those defined in resolution 1541 (XV);

3. *Requests* the administering Powers to transmit to the Secretary-General information called for under Article 73 *e* of the Charter and other information and reports, including reports on the wishes and aspirations of the peoples of the Territories regarding their future political status as expressed in fair and free referendums and other forms of popular consultation, as well as the results of any informed and democratic processes consistent with practice under the Charter that indicate the clear and freely expressed wish of the people to change the existing status of the Territories;

4. *Stresses* the importance for the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to be apprised of the views and wishes of the peoples of the Territories and to enhance its understanding of their conditions;

5. *Reaffirms* that United Nations visiting missions to the Territories at an appropriate time and in consultation with the administering Powers are an effective means of ascertaining the situation in the Territories, and requests the administering Powers and the elected representatives of the peoples of the Territories to assist the Special Committee in this regard;

6. *Reaffirms also* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the administering Powers, in consultation with the peoples of the Territories, to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

8. *Calls upon* the administering Powers, in cooperation with the respective territorial Governments, to continue to take all necessary measures to counter problems related to drug trafficking, money laundering and other offences;

9. *Stresses* that the eradication of colonialism by the year 2000 requires the full and constructive cooperation of all parties concerned;

10. *Takes note* of the particular circumstances that prevail in the Territories concerned, and encourages the political evolution in them towards self-determination;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in the twenty-first century in a world free of colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Invites* the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of the Territories;

13. *Requests* the Special Committee to continue the examination of the question of the small Territories and to report thereon to the General Assembly at its fifty-third session with recommendations on appropriate ways to assist the peoples of the Territories in exercising their right to self-determination.

69th plenary meeting
10 December 1997

B

Individual territories

The General Assembly,

Referring to resolution A above,

I. AMERICAN SAMOA

Noting the report by the administering Power that most American Samoan leaders express satisfaction with the island's present relationship with the United States of America,

Noting also the non-participation of representatives of the people of American Samoa in the last three regional seminars,

Noting further that the Government of the Territory continues to have significant financial, budgetary and internal control problems and that the Territory's deficit and financial condition are compounded by the high demand for government services from the rapidly growing population, a limited economic and tax base and recent natural disasters,

Noting that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical facilities and other infrastructural requirements,

Aware of the efforts of the Government of the Territory to control and reduce expenditures, while continuing its programme of expanding and diversifying the local economy,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Calls upon* the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory;

II. ANGUILLA

Conscious of the commitment of both the Government of Anguilla and the administering Power to a new and closer policy of dialogue and partnership through the Country Policy Plan for 1993-1997,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre for investors, by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

Noting the need for continued cooperation between the administering Power and the territorial Government in tackling the problems of drug trafficking and money laundering,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Calls upon* the administering Power and all States, organizations and United Nations agencies to continue to assist the Territory in social and economic development;

III. BERMUDA

Noting the results of the independence referendum held on 16 August 1995,

Conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory,

Noting the measures taken by the Government to combat racism and the plan to set up a Commission for Unity and Racial Equality,

Noting also the report of the intended closure of the foreign military bases and installations in the Territory,

Taking into consideration the statement made in October 1995 by the Finance Minister on the transfer of those lands for development projects,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Calls upon* the administering Power to continue its programmes of socio-economic development of the Territory;

3. *Requests* the administering Power to elaborate, in consultation with the territorial Government, programmes of development specifically intended to alleviate the economic, social and environmental consequences of the closure of certain military bases and installations in the Territory;

IV. BRITISH VIRGIN ISLANDS

Noting the completion of the constitutional review in the Territory and the coming into force of the amended Constitution, and noting also the results of the general elections held on 20 February 1995,

Noting also the results of the constitutional review of 1993-1994, which made it clear that a prerequisite to independence must be a constitutionally expressed wish by the people as a result of a referendum,

Taking note of the statement made in 1995 by the Chief Minister of the British Virgin Islands that the Territory was ready for constitutional and political advancement towards full internal self-government and that the administering Power should assist through the gradual transfer of power to elected territorial representatives,

Noting that the Territory is emerging as one of the world's leading offshore financial centres,

Noting also the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money laundering,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Requests* the administering Power, the specialized agencies and other organizations of the United Nations system and all financial institutions to continue to provide assistance to the Territory for socio-economic development and the development of human resources, bearing in mind the vulnerability of the Territory to external factors;

V. CAYMAN ISLANDS

Noting the constitutional review of 1992-1993, according to which the population of the Cayman Islands expressed the sentiment that the existing relations with the United Kingdom of Great Britain and Northern Ireland should be maintained and that the current status of the Territory should not be altered,

Aware that the Territory has one of the highest per capita incomes in the region, a stable political climate and virtually no unemployment,

Noting the actions taken by the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking, money laundering and related activities,

Noting the measures taken by the authorities to deal with those problems,

Noting also that the Territory has emerged as one of the world's leading offshore financial centres,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Requests* the administering Power, the specialized agencies and other organizations of the United Nations system to continue to provide the territorial Government with all required expertise to enable it to achieve its socio-economic aims;

3. *Calls upon* the administering Power and the territorial Government to continue to cooperate to counter problems related to money laundering, smuggling of funds and other related crimes, as well as drug trafficking;

4. *Requests* the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

VI. GUAM

Noting with interest the statement made and the information on the political and economic situation in Guam provided by the representative of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[2]

Recalling that, in a referendum held in 1987, the people of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for internal self-government for Guam and recognition of the right of the people of Guam to self-determination for the Territory,

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples is concerned, pending the expression of the will of the Chamorro people and taking into account their legitimate rights and interests,

Aware of the continued negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act and on the future status of the Territory, with particular emphasis on the question of the evolution of the relationship between the United States of America and Guam,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Taking note of the proposed closing and realigning of four United States Navy installations on Guam and the request for the establishment of a transition period to develop some of the closed facilities as commercial enterprises,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[3]

1. *Calls upon* the administering Power to take into consideration the expressed will of the Chamorro people as endorsed by the people of Guam, encourages the administering Power and the territorial Government of Guam to continue the negotiations on this matter, and requests the administering Power to inform the Secretary-General of progress to this end;

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[2] See A/AC.109/2089.

[3] See A/AC.109/2058, para. 33(20).

2. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. *Also requests* the administering Power, in cooperation with the territorial Government, to continue the orderly transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

4. *Further requests* the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the people of Guam, including the Chamorro people, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the immigration issue;

5. *Requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises by the people of Guam, including the Chamorro people;

6. *Also requests* the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture and other viable activities;

VII. MONTSERRAT

Noting with interest the statements made and the information on the political and economic situation in Montserrat provided by the elected representatives of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[2]

Noting that the last visiting mission took place in 1982,

Noting also the functioning of a democratic process in Montserrat, and that general elections were held in the Territory in November 1996,

Taking note of the reported statement of the Chief Minister that his preference was for independence within a political union with the Organization of Eastern Caribbean States and that self-reliance was more of a priority than independence,

Noting with concern the dire consequences of a volcanic eruption which led to the evacuation of a third of the Territory's population to safe areas of the island and which continues to have a negative impact upon the economy of the island,

Noting the efforts of the administering Power and the Government of the Territory to meet the emergency situation caused by the volcanic eruption, including the implementation of a wide range of contingency measures for both the private and the public sectors in Montserrat,

Noting also the coordinated response measures taken by the United Nations Development Programme and the assistance of the United Nations disaster management team,

Noting with deep concern that a substantial number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system as well as regional and other organizations to provide urgent emergency assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII. PITCAIRN

Taking into account the unique nature of Pitcairn in terms of population and area,

Expressing its satisfaction with the continued economic and social advancement of the Territory, as well as with the improvement of its communications with the outside world and its management plan to address conservation issues,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

IX. ST. HELENA

Taking into account the unique character of St. Helena, its population and its natural resources,

Aware of the request by the Legislative Council of St. Helena that the administering Power conduct a constitutional review in the Territory,

Noting the statement of 1995 by the administering Power that the Governor of the island would be ready to enter into debate on a constitutional review of St. Helena,

Aware of the establishment by the Government of the Territory of the Development Agency in 1995 to encourage private sector commercial development on the island,

Also aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of St. Helena, in particular in the sphere of food production,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Notes* that the administering Power has taken note of various statements made by members of the Legislative Council of St. Helena about the Constitution and is prepared to discuss them further with the people of St. Helena, and also notes that the Commonwealth Parliamentary Association recently sent a delegation to study the Constitution and its application with the Legislative Council;

2. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

3. *Requests* the administering Power and relevant regional and international organizations to continue to support the efforts of the territorial Government to address the socio-economic development of the Territory;

X. TOKELAU

Noting with interest the statement made and the information on the political and economic situation in Tokelau provided by the representative of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[2]

Recalling the solemn declaration on the future status of Tokelau delivered by the *Ulu-o-Tokelau* (the highest authority on Tokelau) on 30 July 1994, that an act of self-determination in Tokelau is now under active consideration, together with the Constitution of a self-governing Tokelau, and that the present preference of Tokelau is for a status of free association with New Zealand,

Recalling also the emphasis placed in the solemn declaration on the terms of Tokelau's intended free association relationship with New Zealand, including the expectation that the form of help Tokelau could continue to expect from New Zealand in promoting the well-being of its people, besides its external interests, would be clearly established in the framework of that relationship,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme and the International Telecommunication Union,

Recalling the dispatch in 1994 of a United Nations visiting mission to Tokelau,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories,

Noting also that, as a case study pointing to successful decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Also notes* Tokelau's desire to move at its own pace towards an act of self-determination;

3. *Commends* Tokelau for seeking on the basis of wide consultation with its people a form of national government that reflects its unique traditions and environment, and for charting its own constitutional course;

4. *Acknowledges* the collaboration between New Zealand and Tokelau regarding the Tokelau Amendment Act 1996, which provides Tokelau's national Government with a legislative power, supplementing the executive power delegated in 1994;

5. *Also acknowledges* Tokelau's need for reassurance, given that local resources cannot adequately cover the material side of self-determination, and the ongoing responsibility of Tokelau's external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

6. *Welcomes* the assurances of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

7. *Invites* the administering Power and United Nations agencies to continue their assistance to the social and economic development of Tokelau;

XI. TURKS AND CAICOS ISLANDS

Noting with interest the statements made and the information on the political and economic situation in the Turks and Caicos Islands provided by the Cabinet Minister as well as a member of the legislature from the opposition of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[2]

Noting the establishment in November 1995 of the Action Committee for Political Independence, formed by prominent political figures from different parties, and its stated goal of educating the population in the disadvantages of the present colonial status and the benefits of independence,

Noting also the efforts by the Government of the Territory to strengthen financial management in the public sector, including efforts to increase revenue,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration,

Noting the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money laundering,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Invites* the administering Power to take fully into account the wishes and interests of the Government and the people of the Turks and Caicos Islands in the governance of the Territory;

3. *Calls upon* the administering Power and the relevant regional and international organizations to continue to provide assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

4. *Calls upon* the administering Power and the territorial Government to continue to cooperate to counter problems related to money laundering, smuggling of funds and other related crimes, as well as drug trafficking;

XII. UNITED STATES VIRGIN ISLANDS

Noting with interest the statement made and the information on the political and economic situation in the United States Virgin Islands provided by the representative of the Governor of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[2]

Noting that general elections were held in November 1994,

Noting also that 27.5 per cent of the electorate participated in the referendum on the political status of the Territory held on 11 October 1993, that 80.4 per cent of those who voted supported the existing territorial status arrangements with the United States of America and that the referendum left the status issue undecided,

Noting further the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States,

Noting the necessity of further diversifying the Territory's economy,

Welcoming the conclusion of the discussion between the Government of the Territory and the administering Power on the question of Water Island,

Noting the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Noting with satisfaction the interest of the Territory in joining the United Nations International Drug Control Programme as a full participant,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Also requests* the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

3. *Further requests* the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States and the Caribbean Community;

4. *Welcomes* the conclusion of the negotiations between the administering Power and the territorial Government on the question of Water Island.

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10 December 1997

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*without reference to a Main Committee (A/52/L.64 and Add.1)*]

52/78. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, most recently resolution 51/146 of 13 December 1996, as well as the relevant resolutions of the Security Council,

Recognizing that the eradication of colonialism is one of the priorities of the Organization for the decade that began in 1990,

Deeply conscious of the need to take, speedily, measures to eliminate the last vestiges of colonialism by the year 2000, as called for in its resolution 43/47 of 22 November 1988,

Reiterating its conviction of the need for the elimination of colonialism, as well as of the need for the total eradication of racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

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[1] A/52/23 (Parts I-VII). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23*.

Stressing the importance of the participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of some administering Powers in the work of the Special Committee, as well as their continued readiness to receive United Nations visiting missions in the Territories under their administration,

Noting with concern the negative impact that the non-participation of certain administering Powers has had on the work of the Special Committee, depriving it of an important source of information on the Territories under their administration,

Aware of the pressing need of newly independent and emerging States for assistance from the United Nations and its system of organizations in the economic, social and other fields,

Aware also of the pressing need of the remaining Non-Self-Governing Territories, including in particular the small island Territories, for economic, social and other assistance from the United Nations and the organizations within its system,

Taking special note of the fact that the Special Committee held a Caribbean Regional Seminar to Review the Political, Economic and Social Conditions in the Small Island Non-Self-Governing Territories at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[2]

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions on decolonization, including its resolution 43/47, in which it declared the decade that began in 1990 as the International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Affirms once again* that the continuation of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Universal Declaration of Human Rights[3] and the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence;

5. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 1997, including the programme of work envisaged for 1998;[4]

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[2] See A/AC.109/2089.

[3] Resolution 217 A (III).

[4] A/52/23 (Part I), chap. I, sect. J. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23*.

6. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

7. *Calls upon* the administering Powers to ensure that foreign economic activities in the Non-Self-Governing Territories under their administration are directed to assist the peoples of those Territories in the exercise of their right to self-determination;

8. *Takes note* of the decision of some of the administering Powers to close or reduce some of the military bases in the Non-Self-Governing Territories;

9. *Calls upon* the administering Powers to eliminate the remaining military bases in the Non-Self-Governing Territories in compliance with the relevant resolutions of the General Assembly, and urges them not to involve those Territories in any offensive acts or interference against other States;

10. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance to the peoples of colonial Territories, and requests that the administering Powers, in consultation with the Governments of the Territories under their administration, take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

11. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out those actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(*a*) To formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly at its fifty-third session;

(*b*) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(*c*) To continue to pay special attention to the small Territories, in particular through the dispatch of regular visiting missions, and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence;

(*d*) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

12. *Calls upon* the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to receive visiting missions to the Territories to secure first-hand information and to ascertain the wishes and aspirations of their inhabitants;

13. *Also calls upon* the administering Powers that have not participated in the work of the Special Committee to do so at its 1998 session;

14. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

15. *Welcomes* the decision of the Secretary-General of 27 October 1997:[5]

(*a*) That the substantive responsibilities for the decolonization programme will be maintained in the Department of Political Affairs of the Secretariat;

(*b*) To establish a stand-alone decolonization unit with the necessary resources to provide substantive input for the work of the Special Committee;

(*c*) That the Department of General Assembly Affairs and Conference Services of the Secretariat will be responsible for the technical secretariat servicing relating to the decolonization programme, as outlined in his letter of 17 March 1997;[6]

and his commitment to implement subprogramme 1.6 of the medium-term plan for the period 1998-2001;[7]

16. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

69th plenary meeting
10 December 1997

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[5] A/52/531.

[6] See A/51/829, sect. C.

[7] See A/51/6/Rev. 1 and Corr.1. For the final text, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 6.*

UNITED
NATIONS

A

General Assembly

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A/RES/52/79
4 February 1998

Fifty-second session
Agenda item 18

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*without reference to a Main Committee (A/52/23 (Part II))*]

52/79. Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular General Assembly resolution 51/147 of 13 December 1996,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to achieving complete decolonization by the year 2000,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

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[1] A/52/23 (Part II), chap. III. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23*.

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 (*e*) of the Charter of the United Nations,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Takes note* of the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization;[1]

2. *Considers it important* to continue its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories;

3. *Requests* the Department of Political Affairs and the Office of Communications and Public Information of the Secretariat to take into account the suggestions of the Special Committee to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, *inter alia*:

(*a*) To continue to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of Non-Self-Governing Territories;

(*b*) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(*c*) To maintain a working relationship with the appropriate regional and intergovernmental organizations, particularly in the Pacific and Caribbean regions, by holding periodic consultations and exchanging information;

(*d*) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(*e*) To report to the Special Committee on measures taken in the implementation of the present resolution;

4. *Requests* all States, including the administering Powers, to continue to extend their cooperation in the dissemination of information referred to in paragraph 2 above;

5. *Requests* the Special Committee to follow the implementation of the present resolution and to report thereon to the General Assembly at its fifty-third session.

69th plenary meeting
10 December 1997

UNITED
NATIONS

A

General Assembly

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A/RES/52/80
30 January 1998

Fifty-second session
Agenda item 102

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/634)*]

52/80. International Year of Older Persons: towards a society for all ages

The General Assembly,

Recalling its resolution 47/5 of 16 October 1992, in which it decided to observe the year 1999 as the International Year of Older Persons,

Recalling also its resolution 40/30 of 29 November 1985, in which it expressed its conviction that older persons must be considered an important and necessary element in the development process at all levels within a given society,

Mindful of the need to promote adherence to the United Nations Principles for Older Persons, as adopted by its resolution 46/91 of 16 December 1991,

Recalling Economic and Social Council resolution 1993/22 of 27 July 1993, in which the Council invited Member States to strengthen their national mechanisms on ageing, *inter alia*, to enable them to serve as national focal points for the preparations for and observance of the Year,

Also recalling the relevant provisions of the Copenhagen Declaration and the Programme of Action of the World Summit for Social Development,[1] the Programme of Action of the International Conference on Population and Development[2] and the Vienna Declaration and Programme of Action adopted by the World

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[1] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[2] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[3] as well as of the Beijing Declaration and the Platform for Action of the Fourth World Conference on Women[4] and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II), held at Istanbul, Turkey, from 3 to 14 June 1996,[5]

Keeping in mind that the ageing of societies in the twentieth century, unprecedented in the history of humankind, is a major challenge for all societies and requires a fundamental change in the way in which societies organize themselves and view older persons,

1. *Encourages* all States, the United Nations system and all other actors, in reaching out for a future society for all ages, to take advantage of the International Year of Older Persons to increase awareness of the challenge of the demographic ageing of societies, the individual and social needs of older persons, the contribution of older persons to societies and the need for a change in attitudes towards older persons;

2. *Welcomes* the activities undertaken by States, United Nations organizations and bodies and non-governmental organizations in preparation for the observance of the Year, and encourages them to continue their efforts;

3. *Invites* States to take account of the increasing number, in absolute figures and in percentages, of older persons in need of help;

4. *Also invites* States to develop comprehensive strategies at the national, regional and local levels to meet the increase in demand for care and support for older persons as individuals, within their families and communities and within institutions, bearing in mind the changing socio-economic, technological and cultural environment;

5. *Encourages* States, with the support of United Nations organizations, bodies and programmes and of non-governmental organizations, to formulate policies and programmes on ageing with a view to offering older persons opportunities to utilize their experience and knowledge to promote a society for all ages based on solidarity between generations, so that they can contribute to and benefit from full participation in society;

6. *Also encourages* States to establish a national focal point and formulate national programmes for the Year, bearing in mind the conceptual framework referred to in its resolution 50/141 of 21 December 1995;

7. *Calls upon* States to include a gender dimension in their national programmes for the Year;

8. *Encourages* States to consider establishing ad hoc, broad-based national coordinating mechanisms for the Year in order to enhance, *inter alia*, collaboration with representatives of civil society;

9. *Invites* States to consider convening high-level and other meetings at the regional level to discuss the theme "A society for all ages";

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[3] A/CONF.157/24 (Part I), chap. III.

[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[5] A/CONF.165/14, chap. I, annex II.

10. *Invites* non-governmental organizations, including those specialized in the question of older persons, to develop programmes and projects for the Year, particularly at the local level, in cooperation, *inter alia*, with local authorities, community leaders, enterprises, the media and schools, and encourages them to support and participate in the appropriate national coordinating mechanisms;

11. *Encourages* relevant United Nations funds and programmes and the specialized agencies, non-governmental organizations and the private sector to support local, national and international programmes and projects for the Year, and also encourages them, in particular the United Nations Development Programme, as well as international financial institutions, to ensure that the concerns and contributions of older persons are integrated into their development programmes;

12. *Emphasizes* that activities for the Year should be initiated primarily at the national level;

13. *Invites* national and international development agencies, bodies and international financial institutions to explore feasible approaches to improving the access of older persons to credit training and appropriate technologies for income generation and the participation of older persons in family enterprises, community enterprises and microenterprises;

14. *Welcomes* contributions by the Commission on the Status of Women on the topic of older women in relation to the Year;

15. *Encourages* the Secretary-General to allocate sufficient resources for promoting and coordinating activities for the Year, bearing in mind its resolution 47/5, in which it was decided that observance of the Year would be supported from resources of the regular budget for the biennium 1998-1999 and from voluntary contributions;

16. *Invites* States to consider actively supporting the Secretariat in the preparation and implementation of the projects for the Year, *inter alia*, through voluntary financial or personnel contributions;

17. *Takes note with appreciation* of the report of the Secretary-General entitled "Operational framework for the International Year of Older Persons, 1999";[6]

18. *Welcomes* the initiative of the United Nations Educational, Scientific and Cultural Organization and the American Association of Retired Persons to collaborate on a worldwide poster competition for the Year, in which artists will portray their vision of "A society for all ages";

19. *Also welcomes* the continuing efforts of the Secretariat to promote information exchange for 1999 and beyond, *inter alia*, through regular publication of the *Bulletin on Ageing*, and invites the agencies, bodies and programmes of the United Nations system to consider placing special emphasis on the theme "A society for all ages" in their publications, including the *Human Development Report*;

20. *Invites* the Office of Communications and Public Information of the Secretariat to consider producing a logo and a press kit as well as an exhibit for the Year, and invites the United Nations Postal Administration to consider producing stamps on the theme "A society for all ages";

21. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the system-wide implementation of the present resolution;

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[6] A/52/328.

22. *Also requests* the Secretary-General to officially launch the International Year for Older Persons in 1998, on the occasion of the International Day of Older Persons;

23. *Decides* to devote four plenary meetings at its fifty-fourth session to the follow-up to the Year, which should take place at an appropriate global policy-making level.

70th plenary meeting
12 December 1997

UNITED
NATIONS

A

General Assembly

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A/RES/52/81
30 January 1998

Fifty-second session
Agenda item 102

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/634)*]

52/81. Follow-up to the International Year of the Family

The General Assembly,

Recalling its resolutions 44/82 of 8 December 1989, 46/92 of 16 December 1991, 47/237 of 20 September 1993 and 50/142 of 21 December 1995 concerning the proclamation, preparations for and observance of the International Year of the Family,

Recognizing that the basic objective of the follow-up to the International Year of the Family should be to strengthen and support families in performing their societal and developmental functions and to build upon their strengths, in particular at the national and local levels,

Noting that the family-related provisions of the outcomes of the world conferences of the 1990s provide policy guidance on ways to strengthen family-centred components of policies and programmes as part of an integrated comprehensive approach to development,

Emphasizing that equality between women and men and respect for the rights of all family members is essential to family well-being and to society at large,

1. *Takes note with appreciation* of the report of the Secretary-General on the International Year of the Family,[1] and welcomes the proposals contained therein;

2. *Invites* Governments to continue their actions to build family-friendly societies, *inter alia*, by promoting the rights of individual family members, in particular gender equality and the rights of the child;

[1] A/52/57-E/1997/4.

3. *Emphasizes* the need for a more focused and coordinated approach towards family issues within the United Nations system;

4. *Calls upon* Governments, non-governmental organizations, other organizations of civil society, the private sector and individuals to contribute generously to the United Nations Trust Fund on Family Activities;

5. *Urges* Governments to take sustained action at all levels concerning families, including studies and applied research on families, and to promote the role of families in development, and invites Governments to develop concrete measures and approaches to address national priorities to deal with family issues;

6. *Recommends* that all relevant actors in civil society, including research and academic institutions, contribute to and participate in action on families;

7. *Requests* the Secretary-General to continue to play an active role in facilitating international cooperation within the framework of the follow-up to the International Year of the Family, to facilitate the exchange of experiences and information among Governments on effective policies and strategies, to facilitate technical assistance, with a focus on least developed and developing countries, and to encourage the organization of subregional and interregional meetings and relevant research;

8. *Calls upon* Governments to encourage the active follow-up to the International Year of the Family at the national and local levels;

9. *Reaffirms* Economic and Social Council resolution 1996/7 of 22 July 1996, in which the Council decided that the follow-up to the International Year of the Family should be an integral part of the multi-year programme of work of the Commission for Social Development.

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12 December 1997

UNITED
NATIONS

A

General Assembly

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30 January 1998

Fifty-second session
Agenda item 102

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/634)*]

52/82. Implementation of the World Programme of Action concerning Disabled Persons: towards a society for all in the twenty-first century

The General Assembly,

Recalling its resolutions 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,[1] and 49/153 of 23 December 1994 and 50/144 of 21 December 1995, in which it called upon Governments, when implementing the World Programme of Action, to take into account the elements suggested in the Long-term Strategy to Implement the World Programme of Action concerning Disabled Persons to the Year 2000 and Beyond,[2]

Recalling also its resolution 48/96 of 20 December 1993, by which it adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,

Welcoming the inclusion of measures to address questions of disability in the programmes, plans and platforms for action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[3] the International Conference on Population and Development,[4] the World Summit for Social

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[1] A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

[2] A/49/435, annex.

[3] See A/CONF.157/24 (Part I).

[4] See *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18).

Development,[5] the Fourth World Conference on Women[6] and the second United Nations Conference on Human Settlements (Habitat II), held at Istanbul, Turkey, from 3 to 14 June 1996,[7]

Mindful of the need to adopt and implement effective public policies and programmes to promote the rights of persons with disabilities,

Convinced that the end of the century provides an opportunity for considering which issues to address in order to implement fully the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,

Welcoming initiatives to hold international conferences related to disabled persons, in particular the holding of the Fifth World Assembly of Disabled Peoples' International at Mexico City in December 1998, on the theme "Towards an inclusive twenty-first century",

Recognizing the importance of timely and reliable data on disability for disability-sensitive policies, programme planning and evaluation and the need for further development of practical statistical methodology for data collection and compilation on populations with disabilities,

1. *Takes note with appreciation* of the report of the Secretary-General on the third quinquennial review and appraisal of the World Programme of Action concerning Disabled Persons,[8] and welcomes the conclusions and recommendations contained therein;

2. *Takes note* of Economic and Social Council resolutions 1997/19 of 21 July 1997 on equalization of opportunities for persons with disabilities and 1997/20 of 21 July 1997 on children with disabilities;

3. *Notes with appreciation* the valuable work undertaken by the Special Rapporteur for monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities of the Commission for Social Development, and welcomes the second round of monitoring the implementation of the Standard Rules the cooperation of the Special Rapporteur with the Commission on Human Rights, and especially with the Committee on the Rights of the Child;

4. *Encourages* Governments and the non-governmental community to examine key social and economic policy issues related to the equalization of opportunities for persons with disabilities, in particular, (*a*) accessibility, (*b*) social services and social safety nets and (*c*) employment and sustainable livelihoods;

5. *Urges* Governments to cooperate with the Statistics Division of the Secretariat in the continued development of global statistics and indicators, and encourages them to avail themselves of the technical assistance of the Division, as needed;

6. *Urges* relevant bodies and organizations of the United Nations system, including relevant treaty bodies, such as the Committee on the Rights of the Child, the regional commissions and intergovernmental

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[5] See *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8).

[6] See *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13).

[7] See A/CONF.165/14.

[8] A/52/351.

and non-governmental organizations and institutions, to work closely with the United Nations in the promotion of the rights of persons with disabilities by sharing experiences and findings on disability issues;

7. *Decides* that the next quinquennial review and appraisal of the World Programme of Action, in 2002, shall consider the issues mentioned in paragraph 4 above;

8. *Invites* Governments, concerned non-governmental organizations and the private sector to continue to support the United Nations Voluntary Fund on Disability, with a view to providing additional support to the implementation of the Standard Rules, including further assistance in national capacity-building and support for the work of the Special Rapporteur;

9. *Requests* the Secretary-General to develop a plan to increase the accessibility of the United Nations and its offices and meetings to persons with disabilities;

10. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session, through the Commission for Social Development at its thirty-seventh session, a report on the implementation of the present resolution.

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12 December 1997

UNITED
NATIONS

A

General Assembly

Distr.
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A/RES/52/83
30 January 1998

Fifty-second session
Agenda item 102

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/634)*]

52/83. Policies and programmes involving youth

The General Assembly,

Recalling its resolution 50/81 of 14 December 1995 by which it adopted the World Programme of Action for Youth to the Year 2000 and Beyond,

Recalling also its resolutions 49/152 and 49/154 of 23 December 1994,

Reaffirming the importance of involving youth and youth organizations in all matters of concern to them,

Welcoming the report of the World Youth Forum of the United Nations system on its second session, convened by the United Nations in partnership with the Austrian Federal Youth Council, and held at Vienna from 25 to 29 November 1996,[1]

Noting that the third session of the World Youth Forum, convened by the United Nations in partnership with the Portuguese National Youth Council, will be held at Braga, Portugal, from 2 to 6 August 1998,

Reiterating the call, in paragraph 112 of the World Programme of Action, to all States that have not already done so to formulate and adopt an integrated national youth policy, in consultation with youth and youth-related organizations,

1. *Takes note with appreciation* of the report of the Secretary-General on the implementation of the World Programme of Action for Youth to the Year 2000 and Beyond;[2]

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[1] A/52/80-E/1997/14, annex.

[2] A/52/60-E/1997/6.

2. *Calls upon* all Member States to undertake all possible efforts to implement the World Programme of Action;

3. *Stresses again* the importance of the active and direct participation of youth and youth organizations at the local, national, regional and international levels in promoting and implementing the World Programme of Action and in evaluating the progress achieved and the obstacles encountered in its implementation and of the need to support the activities of youth mechanisms that have been set up by youth and youth organizations;

4. *Welcomes* the initiative of the Government of Portugal to host the World Conference of Ministers Responsible for Youth, to be held at Lisbon from 8 to 12 August 1998, and takes note with appreciation of the ongoing collaboration between the Government of Portugal and the United Nations, including its agencies, funds and programmes, in that regard;

5. *Stresses* the need to involve youth and youth organizations in all stages of preparation for the World Conference, at the local, national, regional and international levels, and welcomes initiatives taken in that respect;

6. *Acknowledges* the activities undertaken at the regional level in preparation for the World Conference;

7. *Recommends* that the results of the second session of the World Youth Forum of the United Nations system be duly taken into account at the World Conference;

8. *Notes with interest* that the outcome of the third session of the World Youth Forum will be presented at the World Conference;

9. *Reiterates* the call made in the World Programme of Action to Member States to consider including youth representatives in their delegations to the General Assembly and other relevant United Nations meetings, thus broadening the channels of communication and enhancing the discussion of youth-related issues, and requests the Secretary-General to convey this invitation to Member States;

10. *Requests* the Secretary-General to make the reports of the third session of the World Youth Forum and of the World Conference available to all Member States;

11. *Also requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution and, in particular, on progress made in the implementation of the World Programme of Action.

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12 December 1997

UNITED
NATIONS

A

General Assembly

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A/RES/52/84
30 January 1998

Fifty-second session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/634)*]

52/84. Education for all

The General Assembly,

Recalling that in the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights[2] and the Convention on the Rights of the Child[3] the right of every individual to education is recognized as inalienable,

Recalling also its resolutions 42/104 of 7 December 1987, by which it proclaimed 1990 as International Literacy Year, 44/127 of 15 December 1989, 46/93 of 16 December 1991 and 50/143 of 21 December 1995, in which it called for continuing international efforts to promote literacy,

Recalling further its resolution 45/126 of 14 December 1990, in which it called for strengthening efforts towards the elimination of illiteracy of women of all ages,

Mindful of the fact that eradication of illiteracy is one of the paramount objectives of the International Development Strategy for the Fourth United Nations Development Decade,[4]

Deeply concerned about the persistence of the gender gap in education which is reflected by the fact that nearly two thirds of the world's adult illiterates are women,

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[1] Resolution 217 A (III).

[2] See resolution 2200 A (XXI), annex.

[3] Resolution 44/25, annex.

[4] Resolution 45/199, annex.

Convinced that literacy, especially functional literacy and adequate education, represents an indispensable element for the development and harnessing of science, technology and human resources for economic and social progress,

Recalling its resolution 49/184 of 23 December 1994, entitled "United Nations Decade for Human Rights Education", and taking note with satisfaction of resolution 1997/7 of 22 August 1997 of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights on the realization of the right to education, including education in human rights,[5]

Confident that the International Literacy Year and the World Conference on Education for All, held at Jomtien, Thailand, in 1990, resulted in increased awareness and support for literacy efforts and became a turning point in the struggle for a literate world,

Underlining the importance of sustaining and further promoting the progress achieved since the International Literacy Year and the Jomtien Conference,

Welcoming the Amman Affirmation,[6] the final communiqué of the mid-decade meeting of the International Consultative Forum on Education for All, adopted at Amman in June 1996, which reaffirmed the necessity for and possibility of bringing the benefits of education to all,

Recognizing that, despite the significant progress in basic education, especially the increase in primary school enrolment coupled with a growing emphasis on the quality of education, major problems, both emerging and continuing, still persist which require even more forceful and concerted action at the national and international levels so as to achieve the goal of education for all,

1. *Takes note* of the report of the Secretary-General and the Director-General of the United Nations Educational, Scientific and Cultural Organization entitled "Progress report on the implementation process of the education for all objectives";[7]

2. *Reaffirms* that basic education for all is essential for achieving the goals of eradicating poverty, reducing child mortality, curbing population growth, achieving gender equality and ensuring sustainable development, peace and democracy;

3. *Acknowledges* the efforts of the mid-decade review of progress towards achieving the goals of education for all in identifying both continuing and emerging challenges, and stresses the need to meet those challenges and to accelerate the efforts to meet the basic needs of people of all age groups, particularly girls and women;

4. *Appeals* to all Governments to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for all human rights and fundamental freedoms;

5. *Also appeals* to all Governments to redouble their efforts to achieve their own goals of education for all by setting firm targets and timetables, where possible, including gender-specific education targets and

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[5] See E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. II, sect.A.

[6] A/52/183, annex.

[7] A/52/183.

programmes to combat the illiteracy of women and girls, and by working in active partnership with communities, associations, the media and development agencies, to reach those targets;

6. *Appeals anew* to Governments and to economic and financial organizations and institutions, both national and international, to lend greater financial and material support to the efforts to increase literacy and achieve education for all;

7. *Invites* Member States, the specialized agencies and other organizations of the United Nations system and relevant intergovernmental and non-governmental organizations to further intensify their efforts to effectively implement the World Declaration on Education for All,[8] the Amman Affirmation[6] and the Hamburg Declaration and the Agenda for the Future adopted at the Fifth International Conference on Adult Education, held at Hamburg, Germany, from 14 to 18 July 1997, as well as the relevant commitments and recommendations to promote literacy made at the recent major United Nations-sponsored international conferences, with a view to better coordinating their activities and increasing their contribution to development;

8. *Recommends* that all Member States and relevant organizations of the United Nations, as well as non-governmental organizations, provide the necessary information on the implementation of the strategies of education for all to the Secretary-General and to the Director-General of the United Nations Educational, Scientific and Cultural Organization so as to enable them to report on the overall progress achieved and the shortfalls encountered in attaining the goal of education for all;

9. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization and in consultation with Member States, to consider effective ways and means for achieving the goal of education for all, including the desirability and the feasibility of launching a United Nations decade to eradicate illiteracy, and to report thereon to the General Assembly at its fifty-fourth session, through the Economic and Social Council;

10. *Decides* to include in the provisional agenda of its fifty-fourth session the question of cooperation towards education for all under the item on social development.

70th plenary meeting
12 December 1997

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[8] *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990*, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix I.

UNITED
NATIONS

A

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30 January 1998

Fifty-second session
Agenda item 103

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/635)*]

52/85. Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime

The General Assembly,

Recalling its resolution 49/159 of 23 December 1994, in which it approved the Naples Political Declaration and the Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,[1]

Recalling also Economic and Social Council resolution 1996/27 of 24 July 1996, and bearing in mind Council resolution 1997/22 of 21 July 1997,

Recalling further its resolution 51/120 of 12 December 1996 on the question of the elaboration of an international convention against organized transnational crime,

Convinced of the importance of continuous action by Member States aimed at the full implementation of the Naples Political Declaration and Global Action Plan,

Reiterating the need for increased technical cooperation activities and the provision of practical assistance to requesting Member States for the implementation of the Naples Political Declaration and Global Action Plan,

1. *Takes note* of the reports of the Secretary-General, submitted to the Commission on Crime Prevention and Criminal Justice at its sixth session, on the implementation of the Naples Political Declaration

[1] A/49/748, annex, chap.I. sect. A.

and Global Action Plan against Organized Transnational Crime[2] and on the question of the elaboration of an international convention against organized transnational crime;[3]

2. *Takes note also* of the forty recommendations elaborated and endorsed by the Senior Experts Group on Transnational Organized Crime, which met at Lyon, France, from 27 to 29 June 1996, which are contained in annex I to Economic and Social Council resolution 1997/22;

3. *Takes note further* of the report of the informal meeting on the question of the elaboration of an international convention against organized transnational crime, held at Palermo, Italy, from 6 to 8 April 1997,[4] and expresses its appreciation to the Fondazione Giovanni e Francesca Falcone for organizing and acting as host to the meeting;

4. *Reiterates* the high priority accorded to the United Nations Crime Prevention and Criminal Justice Programme as well as to its work on action against organized transnational crime in general and the implementation of the Naples Political Declaration and Global Action Plan in particular;

5. *Urges* States to continue making every effort possible to implement the Naples Political Declaration and Global Action Plan fully by taking the most appropriate legislative, regulatory and administrative measures, including those aimed at prevention;

6. *Requests* the Commission on Crime Prevention and Criminal Justice to continue its review of the implementation of the Naples Political Declaration and Global Action Plan as a matter of high priority;

7. *Invites* developing countries and countries with economies in transition to undertake action against organized transnational crime and to promote international cooperation in this field as priorities in their development efforts and to include in their requests for assistance to the United Nations Development Programme, as part of the country programme framework of the Programme, projects on action against organized transnational crime and money laundering, with a view to upgrading national institutional capacities and professional expertise in these fields;

8. *Calls upon* the United Nations Development Programme, the World Bank and other international, regional and national funding agencies to give favourable consideration to project proposals on strengthening national or regional capacities and creating the expertise required for the prevention and control of organized transnational crime and money laundering that are elaborated and submitted to them by the Centre for International Crime Prevention of the Secretariat;

9. *Requests* the Secretary-General to continue his work on the central repository established pursuant to Economic and Social Council resolution 1996/27, with a view to increasing, maintaining and updating the data and other information contained in the repository and making such information available to States and, for this purpose, to continue collecting information and material, taking into account the methodological points and categorization of data listed in annex II to Economic and Social Council resolution 1997/22, including legislative and regulatory texts on the prevention and control of organized transnational crime, as well as reports on preventive measures;

10. *Calls upon* all States and relevant international organizations and institutes affiliated and associated with the United Nations to assist the Secretary-General in the implementation of paragraph 9 above by

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[2] E/CN.15/1997/7.

[3] E/CN.15/1997/7/Add.1.

[4] E/CN.15/1997/7/Add.2, annex.

providing him with data and other information, as well as legislative and regulatory texts, and to keep such data up to date;

11. *Requests* the Secretary-General to continue to provide States with advisory services and other forms of assistance on request in the field of prevention and control of organized transnational crime;

12. *Also requests* the Secretary-General to assist States in collecting and systematizing data and other information on the occurrence, dimensions and patterns of organized transnational crime by designing and undertaking a comparative study on the situation of organized transnational crime throughout the world;

13. *Further requests* the Secretary-General to review the data submitted to the central repository and to take that data into account in developing model legislation against organized transnational crime as well as technical manuals for law enforcement and judicial personnel and for agencies engaged in preventive activities;

14. *Decides* to establish an inter-sessional open-ended intergovernmental group of experts, from within existing resources or, where possible, funded by extrabudgetary resources, if made available, for the purpose of elaborating a preliminary draft of a possible comprehensive international convention against organized transnational crime, which would submit a report thereon to the Commission on Crime Prevention and Criminal Justice at its seventh session;

15. *Welcomes* the generous offer of the Government of Poland to organize and host a meeting of the intergovernmental group of experts;

16. *Requests* the intergovernmental group of experts, when elaborating the preliminary draft:

(*a*) To take into account existing multilateral instruments, the draft United Nations framework convention against organized crime presented by the Government of Poland at the fifty-first session of the General Assembly,[5] contained in annex III to Economic and Social Council resolution 1997/22, the report of the Chairman of the Working Group on the Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime and the Question of the Elaboration of an International Convention against Organized Transnational Crime, contained in annex IV to Council resolution 1997/22, the principles indicated in the forty recommendations mentioned in paragraph 2 above and the observations and proposals made by other member States during the sixth session of the Commission on Crime Prevention and Criminal Justice, including those contained in annexes V and VI to Council resolution 1997/22, as well as those contained in the report of the Secretary-General on the question of the elaboration of an international convention against organized transnational crime[3] and the principles contained in the report of the Secretary-General on measures to prevent trafficking in children;[6]

(*b*) To give priority consideration to the following issues:

(i) Measures for judicial and police cooperation, particularly in relation to mutual assistance, extradition, money laundering and confiscation of illicit assets, protection of witnesses, information sharing, training and other forms of technical assistance;

(ii) Identification of the scope of application of the above-mentioned measures, having particular regard to the documents contained in annexes III and IV to Council resolution 1997/22, referred to in subparagraph (*a*) above;

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[5] A/C.3/51/7, annex.

[6] E/CN.15/1997/12.

(iii) Provisions related to criminal offences, particularly in the areas of criminal associations, conspiracy and money laundering;

(*c*) Also to consider indicating the need for special provisions related to specific types of crime, such as trafficking in children, corruption, offences related to firearms, trafficking in illegal migrants and theft of motor vehicles, that may be the subject of international instruments, whether associated with or separate from the draft convention;

17. *Requests* the Secretary-General to provide the Centre for International Crime Prevention of the Secretariat with adequate resources for the preparation and servicing of the meeting of the intergovernmental group of experts;

18. *Requests* the Commission on Crime Prevention and Criminal Justice to report through the Economic and Social Council to the General Assembly at its fifty-third session on the progress achieved in its work on this question.

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12 December 1997

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A

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/635)*]

52/86. Crime prevention and criminal justice measures to eliminate violence against women

The General Assembly,

Bearing in mind its resolution 48/104 of 20 December 1993, in which it proclaimed the Declaration on the Elimination of Violence against Women, and recalling the definition of violence against women contained in articles 1 and 2 of the Declaration,

Strongly condemning all forms of violence against women,

Stressing that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women[1] contributes to the elimination of violence against women and that the implementation of the Declaration strengthens and complements that process,

Recalling the Beijing Declaration[2] and the Platform for Action[3] adopted by the Fourth World Conference on Women and, in particular, the determination of Governments to prevent and eliminate all forms of violence against women and girls,

Recognizing the need to implement fully the Beijing Declaration and the Platform for Action in the field of crime prevention and criminal justice and to develop strategies and practical measures in that field,

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[1] Resolution 34/180, annex.

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[3] Ibid., annex II.

Recalling Commission on Human Rights resolution 1997/44 of 11 April 1997 on the elimination of violence against women,[4]

Welcoming the renewal of the mandate of the Special Rapporteur on violence against women, its causes and consequences, by the Commission on Human Rights,

Recalling the conclusions and recommendations of the Special Rapporteur, stressed by the Commission on Human Rights in its resolution 1997/44, that States have an affirmative duty to promote and protect the human rights of women and must exercise due diligence to prevent violence against women,

Reaffirming Economic and Social Council resolution 1996/12 of 23 July 1996 on the elimination of violence against women,

Expressing deep concern about the high social, health and economic costs to the individual and society that are associated with violence against women,

Bearing in mind that criminal justice agencies should work closely with practitioners in other sectors, including health, social services and education, and with members of the community to deal with the problem of violence against women,

Acknowledging the valuable contribution made by non-governmental organizations, organizations seeking women's equality and community agencies in working towards the elimination of violence against women,

1. *Urges* Member States to review and evaluate their legislation and legal principles, procedures, policies and practices relating to criminal matters, in a manner consistent with their legal systems, to determine if they have a negative impact on women and, if they have such an impact, to modify them in order to ensure that women are treated fairly by the criminal justice system;

2. *Also urges* Member States to undertake strategies, develop policies and disseminate materials to promote women's safety in the home and in society at large, including specific crime prevention strategies that reflect the realities of women's lives and address their distinct needs in such areas as social development, environmental design and educational prevention programmes;

3. *Further urges* Member States to promote an active and visible policy of integrating a gender perspective into the development and implementation of all policies and programmes in the field of crime prevention and criminal justice, which may assist in the elimination of violence against women so that, before decisions are taken, an analysis may be made to ensure that they entail no unfair gender bias;

4. *Calls upon* the Commission on Crime Prevention and Criminal Justice, through the Centre for International Crime Prevention of the Secretariat and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to cooperate with all relevant organs, bodies and other entities of the United Nations system and to coordinate their activities on issues relating to violence against women and to the removal of gender bias in the administration of criminal justice;

5. *Calls upon* the institutes comprising the Programme network to continue training in the field of violence against women and to consolidate and disseminate information on successful intervention models and preventive programmes at the national level;

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[4] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. I sect. A.

6. *Requests* the Commission to ensure that *Strategies for Confronting Domestic Violence: A Resource Manual*[5] is published in all official languages of the United Nations, subject to the availability of regular budget or extrabudgetary funds, and acknowledges the contribution of Canada in that respect;

7. *Calls upon* Governments, international organizations and non-governmental organizations, as appropriate, to translate *Strategies for Confronting Domestic Violence: A Resource Manual* into local languages and to ensure its wide dissemination for use in training and education programmes;

8. *Takes note* of the report of the Secretary-General on the elimination of violence against women,[6] including the revision of the draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women, based on comments received from Member States, United Nations entities, including the specialized agencies and associate entities, as well as intergovernmental and non-governmental organizations;

9. *Adopts* the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, annexed to the present resolution, as a model for guidelines to be used by Governments in their efforts to address, within the criminal justice system, the various manifestations of violence against women;

10. *Urges* Member States to be guided by the Model Strategies and Practical Measures in developing and undertaking strategies and practical measures to eliminate violence against women and in promoting women's equality within the criminal justice system;

11. *Requests* the Commission on Crime Prevention and Criminal Justice, through the Centre for International Crime Prevention of the Secretariat, to assist Member States, at their request, in utilizing the Model Strategies and Practical Measures;

12. *Calls upon* the Commission on Crime Prevention and Criminal Justice to continue to consider the elimination of violence against women within the training and technical assistance efforts of the United Nations Crime Prevention and Criminal Justice Programme;

13. *Requests* the Secretary-General to ensure the wide dissemination of the Model Strategies and Practical Measures, with a view to promoting their use;

14. *Also requests* the Secretary-General to transmit the Model Strategies and Practical Measures to the relevant United Nations organizations and bodies, such as the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Commission on Human Rights, including the Subcommission on Prevention of Discrimination and Protection of Minorities, and the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and its consequences, and invites those organizations and bodies to develop strategies and practical measures on the elimination of violence against women in their areas of expertise;

15. *Invites* the Economic and Social Council to consider including the question of violence against women at the high-level segments of one of its forthcoming sessions, in the context of its discussion on the human rights of women;

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[5] E.94.IV.1.

[6] E/CN.15/1997/11 and Add.1.

16. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session, through the Economic and Social Council, a report on the implementation of the present resolution.

70th plenary meeting
12 December 1997

ANNEX

Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice

1. The multifaceted nature of violence against women suggests that different strategies are required for different manifestations of violence and the various settings in which it occurs. The practical measures, strategies and activities described below can be introduced in the field of crime prevention and criminal justice to deal with the problem of violence against women. Except where otherwise specified, the term "women" encompasses "girl children".

2. Recalling the definition of violence against women contained in the Declaration on the Elimination of Violence against Women[7] and reiterated in the Platform for Action adopted by the Fourth World Conference on Women,[3] the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice build upon the measures adopted by Governments in the Platform for Action, bearing in mind that some groups of women are especially vulnerable to violence.

3. The Model Strategies and Practical Measures specifically acknowledge the need for an active policy of bringing into the mainstream a gender perspective in all policies and programmes related to violence against women and of achieving gender equality and equal and fair access to justice, as well as establishing the goal of gender balance in areas of decision-making related to the elimination of violence against women. The Model Strategies and Practical Measures should be applied as guidelines in a manner consistent with relevant international instruments, including the Convention on the Elimination of All Forms of Discrimination against Women,[1] the Convention on the Rights of the Child[8] and the International Covenant on Civil and Political Rights,[9] with a view to furthering their fair and effective implementation.

4. The Model Strategies and Practical Measures should be implemented by Member States and other entities, without prejudice to the principle of gender equality before the law, in order to facilitate the efforts by Governments to deal with the various manifestations of violence against women within the criminal justice system.

5. The Model Strategies and Practical Measures are aimed at providing *de jure* and de facto equality between women and men. The Model Strategies and Practical Measures do not give preferential treatment to women but are aimed at ensuring that any inequalities or forms of discrimination that women face in achieving access to justice, particularly in respect of acts of violence, are redressed.

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[7] Resolution 48/104.

[8] Resolution 44/25, annex.

[9] See resolution 2200 A (XXI), annex.

I. CRIMINAL LAW

6. Member States are urged:

(*a*) To periodically review, evaluate and revise their laws, codes and procedures, especially their criminal laws, to ensure their value and effectiveness in eliminating violence against women and to remove provisions that allow for or condone violence against women;

(*b*) To review, evaluate and revise their criminal and civil laws, within the framework of their national legal systems, in order to ensure that all acts of violence against women are prohibited and, if not, to adopt measures to do so;

(*c*) To review, evaluate and revise their criminal laws in order to ensure that:

(i) Persons who are brought before the courts on judicial matters in respect of violent crimes or who are convicted of such crimes can be restricted in their possession and use of firearms and other regulated weapons, within the framework of their national legal systems;

(ii) Individuals can be prohibited or restrained, within the framework of their national legal systems, from harassing, intimidating or threatening women.

II. CRIMINAL PROCEDURE

7. Member States are urged to review, evaluate and revise their criminal procedure, as appropriate, in order to ensure that:

(*a*) The police have, with judicial authorization where required by national law, adequate powers to enter premises and conduct arrests in cases of violence against women, including confiscation of weapons;

(*b*) The primary responsibility for initiating prosecutions lies with prosecution authorities and does not rest with women subjected to violence;

(*c*) Women subjected to violence have an opportunity to testify in court proceedings equal to that of other witnesses and that measures are available to facilitate such testimony and to protect their privacy;

(*d*) Rules and principles of defence do not discriminate against women and such defences as honour or provocation do not allow perpetrators of violence against women to escape all criminal responsibility;

(*e*) Perpetrators who commit acts of violence against women while voluntarily under the influence of alcohol or drugs are not absolved of all criminal or other responsibility;

(*f*) Evidence of prior acts of violence, abuse, stalking and exploitation by the perpetrator is considered during court proceedings, in accordance with the principles of national criminal law;

(*g*) Courts, subject to the constitution of their State, have the authority to issue protection and restraining orders in cases of violence against women, including removal of the perpetrator from the domicile, prohibiting further contact with the victim and other affected parties, inside and outside the domicile, and to impose penalties for breaches of these orders;

(*h*) Measures can be taken when necessary to ensure the safety of victims and their families and to protect them from intimidation and retaliation;

(*i*) Safety risks are taken into account in decisions concerning non-custodial or quasi-custodial sentences, the granting of bail, conditional release, parole or probation.

III. POLICE

8. Member States are urged, within the framework of their national legal systems:

(*a*) To ensure that the applicable provisions of laws, codes and procedures related to violence against women are consistently enforced in such a way that all criminal acts of violence against women are recognized and responded to accordingly by the criminal justice system;

(*b*) To develop investigative techniques that do not degrade women subjected to violence and that minimize intrusion into their lives, while maintaining standards for the collection of the best evidence;

(*c*) To ensure that police procedures, including decisions on the arrest, detention and terms of any form of release of the perpetrator, take into account the need for the safety of the victim and others related through family, socially or otherwise, and that these procedures also prevent further acts of violence;

(*d*) To empower the police to respond promptly to incidents of violence against women;

(*e*) To ensure that the exercise of police powers is undertaken according to the rule of law and codes of conduct and that the police may be held accountable for any infringement thereof;

(*f*) To encourage women to join police forces, including at the operational level.

IV. SENTENCING AND CORRECTION

9. Member States are urged, as appropriate:

(*a*) To review, evaluate and revise sentencing policies and procedures in order to ensure that they meet the goals of:

(i) Holding offenders accountable for their acts related to violence against women;

(ii) Stopping violent behaviour;

(iii) Taking into account the impact on victims and their family members of sentences imposed on perpetrators who are members of their families;

(iv) Promoting sanctions that are comparable to those for other violent crimes;

(*b*) To ensure that a woman subjected to violence is notified of any release of the offender from detention or imprisonment where the safety of the victim in such disclosure outweighs invasion of the offender's privacy;

(*c*) To take into account in the sentencing process the severity of the physical and psychological harm and the impact of victimization, including through victim impact statements where such practices are permitted by law;

(*d*) To make available to the courts through legislation a full range of sentencing dispositions to protect the victim, other affected persons and society from further violence;

(*e*) To ensure that the sentencing judge is encouraged to recommend treatment of the offender at the time of sentencing;

(*f*) To ensure that there are appropriate measures in place to eliminate violence against women who are detained for any reason;

(*g*) To develop and evaluate offender treatment programmes for different types of offenders and offender profiles;

(*h*) To protect the safety of victims and witnesses before, during and after criminal proceedings.

V. VICTIM SUPPORT AND ASSISTANCE

10. Member States are urged, as appropriate:

(*a*) To make available to women who have been subjected to violence information on rights and remedies and on how to obtain them, in addition to information about participating in criminal proceedings and the scheduling, progress and ultimate disposition of the proceedings;

(*b*) To encourage and assist women subjected to violence in lodging and following through on formal complaints;

(*c*) To ensure that women subjected to violence receive, through formal and informal procedures, prompt and fair redress for the harm that they have suffered, including the right to seek restitution or compensation from the offenders or the State;

(*d*) To provide for court mechanisms and procedures that are accessible and sensitive to the needs of women subjected to violence and that ensure the fair processing of cases;

(*e*) To establish a registration system for judicial protection and restraining orders, where such orders are permitted by national law, so that police or criminal justice officials can quickly determine whether such an order is in force.

VI. HEALTH AND SOCIAL SERVICES

11. Member States, in cooperation with the private sector, relevant professional associations, foundations, non-governmental and community organizations, including organizations seeking women's equality, and research institutes are urged, as appropriate:

(*a*) To establish, fund and coordinate a sustainable network of accessible facilities and services for emergency and temporary residential accommodation for women and their children who are at risk of becoming or who have been victims of violence;

(*b*) To establish, fund and coordinate services such as toll-free information lines, professional multi-disciplinary counselling and crisis intervention services and support groups in order to benefit women who are victims of violence and their children;

(*c*) To design and sponsor programmes to caution against and prevent alcohol and substance abuse, given the frequent presence of alcohol and substance abuse in incidents of violence against women,

(*d*) To establish better linkages between medical services, both private and emergency, and criminal justice agencies for purposes of reporting, recording and responding to acts of violence against women;

(*e*) To develop model procedures to help participants in the criminal justice system to deal with women subjected to violence;

(*f*) To establish, where possible, specialized units with persons from relevant disciplines especially trained to deal with the complexities and victim sensitivities involved in cases of violence against women.

VII. TRAINING

12. Member States, in cooperation with non-governmental organizations, including organizations seeking women's equality, and in collaboration with relevant professional associations, are urged, as appropriate:

(*a*) To provide for or to encourage mandatory cross-cultural and gender-sensitivity training modules for police, criminal justice officials, practitioners and professionals involved in the criminal justice system that deal with the unacceptability of violence against women, its impact and consequences and that promote an adequate response to the issue of violence against women;

(*b*) To ensure adequate training, sensitivity and education of police, criminal justice officials, practitioners and professionals involved in the criminal justice system regarding all relevant human rights instruments;

(*c*) To encourage professional associations to develop enforceable standards of practice and behaviour, which promote justice and equality for women, for practitioners involved in the criminal justice system.

VIII. RESEARCH AND EVALUATION

13. Member States and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, relevant entities of the United Nations system, other relevant international organizations, research institutes and non-governmental organizations, including organizations seeking women's equality, are urged, as appropriate:

(*a*) To develop crime surveys on the nature and extent of violence against women;

(*b*) To gather data and information on a gender-disaggregated basis for analysis and use, together with existing data, in needs assessment, decision-making and policy-making in the field of crime prevention and criminal justice, in particular concerning:

(i) The different forms of violence against women, its causes and consequences;

(ii) The extent to which economic deprivation and exploitation are linked to violence against women;

(iii) The relationship between the victim and the offender;

(iv) The rehabilitative or anti-recidivistic effect of various types of intervention on the individual offender and on the reduction of violence against women;

(v) The use of firearms, drugs and alcohol, particularly in cases of violence against women in situations of domestic violence;

(vi) The relationship between victimization or exposure to violence and subsequent violent activity;

(*c*) To monitor and issue annual reports on the incidence of violence against women, arrest and clearance rates, prosecution and case disposition of the offenders;

(*d*) To evaluate the efficiency and effectiveness of the criminal justice system in fulfilling the needs of women subjected to violence.

IX. CRIME PREVENTION MEASURES

14. Member States and the private sector, relevant professional associations, foundations, non-governmental and community organizations, including organizations seeking women's equality, and research institutes are urged, as appropriate:

(*a*) To develop and implement relevant and effective public awareness, public education and school programmes that prevent violence against women by promoting equality, cooperation, mutual respect and shared responsibilities between women and men;

(*b*) To develop multidisciplinary and gender-sensitive approaches within public and private entities that participate in the elimination of violence against women, especially through partnerships between law enforcement officials and services specialized in the protection of women victims of violence;

(*c*) To set up outreach programmes for offenders or persons identified as potential offenders in order to promote the peaceful resolution of conflicts, the management and control of anger and attitude modification about gender roles and relations;

(*d*) To set up outreach programmes and offer information to women, including victims of violence, about gender roles, the human rights of women and the social, health, legal and economic aspects of violence against women, in order to empower women to protect themselves against all forms of violence;

(*e*) To develop and disseminate information on the different forms of violence against women and the availability of programmes to deal with that problem, including programmes concerning the peaceful resolution of conflicts, in a manner appropriate to the audience concerned, including in educational institutions at all levels;

(*f*) To support initiatives of organizations seeking women's equality and of non-governmental organizations to raise public awareness of the issue of violence against women and to contribute to its elimination.

15. Member States and the media, media associations, media self-regulatory bodies, schools and other relevant partners, while respecting the freedom of the media, are urged, as appropriate, to develop public awareness campaigns and appropriate measures and mechanisms, such as codes of ethics and self-regulatory measures on media violence, aimed at enhancing respect for the rights of women and discouraging both discrimination against women and stereotyping of women.

X. INTERNATIONAL COOPERATION

16. Member States and United Nations bodies and institutes are urged, as appropriate:

(*a*) To exchange information concerning successful intervention models and preventive programmes in eliminating violence against women and to compile a directory of those models;

(*b*) To cooperate and collaborate at the regional and international levels with relevant entities to prevent violence against women and to promote measures to effectively bring perpetrators to justice, through mechanisms of international cooperation and assistance, in accordance with national law;

(*c*) To contribute to and support the United Nations Development Fund for Women in its activities to eliminate violence against women.

17. Member States are urged:

(*a*) To limit the extent of any reservations to the Convention on the Elimination of All Forms of Discrimination against Women to those that are formulated as precisely and as narrowly as possible and that are not incompatible with the object and purpose of the Convention;

(*b*) To condemn all violations of the human rights of women in situations of armed conflict, to recognize them as being violations of international human rights and humanitarian law and to call for a particularly effective response to violations of that kind, including, in particular, murder, systematic rape, sexual slavery and forced pregnancy;

(*c*) To work actively towards ratification of or accession to the Convention on the Elimination of All Forms of Discrimination against Women for the States that are still not parties to it, so that universal ratification can be achieved by the year 2000;

(*d*) To give full consideration to integrating a gender perspective in the drafting of the statute of the international criminal court, particularly in respect of women who are victims of violence;

(*e*) To cooperate with and assist the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences in the performance of his or her mandated tasks and duties, to supply all information requested and to respond to the Special Rapporteur's visits and communications.

XI. FOLLOW-UP ACTIVITIES

18. Member States, United Nations bodies, subject to the availability of extrabudgetary funds, the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, other relevant international organizations, research institutes and non-governmental organizations, including organizations seeking women's equality, are urged, as appropriate:

(*a*) To encourage the translation of the Model Strategies and Practical Measures into local languages and to ensure its wide dissemination for use in training and education programmes;

(*b*) To utilize the Model Strategies and Practical Measures as a basis, a policy reference and a practical guide for activities aimed at eliminating violence against women;

(*c*) To assist Governments, at their request, in reviewing, evaluating and revising their criminal justice systems, including their criminal legislation, on the basis of the Model Strategies and Practical Measures;

(*d*) To support the technical cooperation activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network in eliminating violence against women;

(*e*) To develop coordinated national, regional and subregional plans and programmes to put the Model Strategies and Practical Measures into effect;

(*f*) To design standard training programmes and manuals for the police and criminal justice officials, based on the Model Strategies and Practical Measures;

(*g*) To periodically review and monitor, at the national and international levels, progress made in terms of plans, programmes and initiatives to eliminate violence against women in the context of the Model Strategies and Practical Measures.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/635)*]

52/87. International cooperation against corruption and bribery in international commercial transactions

The General Assembly,

Disturbed by the bribery of public officials by individuals and enterprises of other States in relation to international commercial transactions,

Convinced that such practices undermine the integrity of state bureaucracies and weaken social and economic policies by promoting corruption in the public sector, thus diminishing its credibility,

Convinced also that the fight against corruption must be supported by sincere international cooperation efforts,

Recalling its resolution 3514 (XXX) of 15 December 1975, in which it, *inter alia*, condemned all corrupt practices, including bribery, by transnational corporations and other corporations, their intermediaries and others involved, in violation of the laws and regulations in host countries, reaffirmed the right of any State to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, against such corrupt practices and called upon all Governments to cooperate to prevent corrupt practices, including bribery,

Recalling also Economic and Social Council resolution 1995/14 of 24 July 1995 on action against corruption,

Recalling further its resolution 50/225 of 19 April 1996 on public administration and development,

Recalling in particular its resolution 51/59 of 12 December 1996, in which it adopted the International Code of Conduct for Public Officials, annexed thereto, and recommended it to Member States as a tool to guide their efforts against corruption,

Recalling that by its resolution 51/191 of 16 December 1996 it adopted the United Nations Declaration against Corruption and Bribery in International Commercial Transactions,

Recalling also that in its resolution 51/191 it requested the Economic and Social Council and its subsidiary bodies, in particular the Commission on Crime Prevention and Criminal Justice, to examine ways to further the implementation of that resolution and the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, to keep the issue of corruption and bribery in international commercial transactions under regular review and to promote the effective implementation of that resolution,

Taking note of the report of the Secretary-General on action against corruption and bribery[1] and of the report of the Expert Group Meeting on Corruption, held at Buenos Aires from 17 to 21 March 1997,[2]

Welcoming developments that have advanced international understanding and cooperation regarding bribery in transnational business, such as the Inter-American Convention against Corruption adopted by the Organization of American States on 29 March 1996,[3] which includes an article on the prohibition of foreign commercial bribery; the ongoing work of the Council of Europe against corruption, including the elaboration of several international conventions containing provisions on bribery in international commercial transactions; the ongoing work of the World Trade Organization to improve transparency, openness and due process in government procurement procedures; and the ongoing work of the States members of the Organisation for Economic Cooperation and Development, including, as elements, the agreement to prohibit the tax deductibility of bribes paid to foreign public officials in international commercial transactions, and the commitment to criminalize the bribing of foreign public officials in international business transactions,

1. *Agrees* that all States should take all possible measures to further the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions[4] and of the International Code of Conduct for Public Officials;[5]

2. *Urges* Member States that have not yet done so to implement relevant international declarations and to ratify, where appropriate, international instruments against corruption;

3. *Also urges* Member States to criminalize, in an effective and coordinated manner, the bribery of public office holders of other States in international commercial transactions, and encourages them to engage, as appropriate, in programmatic activities to deter, prevent and combat bribery and corruption, for example, by diminishing institutional barriers through the development of integrated management systems and the promotion of legal reform, in accordance with their fundamental legal principles in both the public and private sectors, by encouraging a greater role for citizens in the development of transparent and accountable government, by supporting the active participation of non-governmental organizations in the identification, planning and implementation of initiatives that raise ethical standards and practices in both government and business transactions and by providing training and technical assistance to other States, as appropriate, and to develop and implement standards of good governance, in particular, accountability and transparency, legitimate commercial and financial conduct and other anti-corruption measures;

4. *Requests* the Secretary-General to invite each Member State to provide a report on steps taken to implement the provisions of the Declaration, including those dealing with criminalization, effective sanctions,

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[1] E/CN.15/1997/3.

[2] E/CN.15/1997/3/Add.1, annex.

[3] See E/1996/99.

[4] Resolution 51/191, annex.

[5] Resolution 51/59, annex.

tax deductibility, accounting standards and practices, development of business codes, illicit enrichment, mutual legal assistance and bank secrecy provisions, as well as on national anti-corruption strategies and policies, for compilation by the Secretary-General and consideration by the Commission on Crime Prevention and Criminal Justice, with a view to examining further steps to be taken for the full implementation of the Declaration;

5. *Invites* competent international, regional and non-governmental organizations to provide relevant information to the Commission on Crime Prevention and Criminal Justice on international efforts to combat corruption and bribery;

6. *Requests* the Secretary-General, subject to the availability of extrabudgetary funds, to intensify technical assistance to combat corruption, providing advisory services to Member States that request such services, and urges Member States to provide the Secretariat with the necessary extrabudgetary funds for such technical assistance;

7. *Requests* the Commission on Crime Prevention and Criminal Justice to give attention to the question of the bribery of public office holders of other States in international commercial transactions and to include in its agenda for a future session a review of action taken by States to implement the Declaration.

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NATIONS

A

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/635)*]

52/88. International cooperation in criminal matters

The General Assembly,

Acknowledging the benefits of the enactment of national laws providing the most flexible basis for extradition, and bearing in mind that some developing countries and countries with economies in transition may lack the resources for developing and implementing treaty relations on extradition, as well as appropriate national legislation,

Bearing in mind that United Nations model treaties on international cooperation in criminal matters provide important tools for the development of international cooperation,

Convinced that existing arrangements governing international cooperation in law enforcement must be continuously reviewed and revised to ensure that the specific contemporary problems of fighting crime are being effectively addressed at all times,

Convinced also that reviewing and revising the United Nations model treaties will contribute to increased efficiency in combating criminality,

Commending the work of the Intergovernmental Expert Group Meeting on Extradition, held at Siracusa, Italy, from 10 to 13 December 1996,[1] to implement, in part, Economic and Social Council resolution 1995/27 of 24 July 1995 by reviewing the Model Treaty on Extradition[2] and by proposing complementary provisions for it, elements for model legislation in the field of extradition and training and technical assistance for national officials engaged in the field of extradition,

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[1] E/CN.15/1997/6 and Corr.1, annex.

[2] Resolution 45/116, annex.

Commending also the International Association of Penal Law and the International Institute of Higher Studies in Criminal Sciences for providing support for the Expert Group Meeting and the Governments of Finland, Germany and the United States of America and the United Nations Interregional Crime and Justice Research Institute for their cooperation in its organization,

Recognizing that the work of the Intergovernmental Expert Group could not be fully completed given the limited amount of time available and that its work was therefore ultimately limited to the field of extradition,[3]

Determined to implement section I of Economic and Social Council resolution 1995/27, in which the Council requested the Secretary-General to convene a meeting of an intergovernmental expert group to explore ways of increasing the efficiency of extradition and related mechanisms of international cooperation,

I

MUTUAL ASSISTANCE

1. *Requests* the Secretary-General to convene, using extrabudgetary funds already offered for this purpose, a meeting of an intergovernmental expert group to examine practical recommendations for the further development and promotion of mutual assistance in criminal matters;

2. *Recommends* that the expert group should, in accordance with section I of Economic and Social Council resolution 1995/27, explore ways and means of increasing the efficiency of this type of international cooperation, having due regard for the rule of law and the protection of human rights, including by drafting alternative or complementary articles for the Model Treaty on Mutual Assistance in Criminal Matters,[4] developing model legislation and providing technical assistance in the development of agreements;

3. *Also recommends* that the expert group submit a report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice no later than at its eighth session;

II

EXTRADITION

1. *Welcomes* the report of the Intergovernmental Expert Group Meeting on Extradition, held at Siracusa, Italy, from 10 to 13 December 1996;[1]

2. *Decides* that the Model Treaty on Extradition[2] should be complemented by the provisions set forth in the annex to the present resolution;

3. *Encourages* Member States, within the framework of their national legal systems, to enact effective extradition legislation, and calls upon the international community to give all possible assistance in achieving that goal;

4. *Requests* the Secretary-General to elaborate, in consultation with Member States and subject to extrabudgetary resources, for submission to the Commission on Crime Prevention and Criminal Justice, model legislation to assist Member States in giving effect to the Model Treaty on Extradition in order to enhance

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[3] See E/CN.15/1997/6 and Corr.1, annex, section IV.

[4] Resolution 45/117, annex.

effective cooperation between States, taking into account the contents of model legislation[5] recommended by the Intergovernmental Expert Group Meeting;

5. *Invites* States to consider taking steps, within the framework of national legal systems, to conclude extradition and surrender or transfer agreements;

6. *Urges* States to revise bilateral and multilateral law enforcement cooperation arrangements as an integral part of the effort to effectively combat constantly changing methods of individuals and groups engaging in organized transnational crime;

7. *Urges* Member States to use the Model Treaty on Extradition as a basis in developing treaty relations at the bilateral, regional or multilateral level, as appropriate;

8. *Also urges* Member States to continue to acknowledge that the protection of human rights should not be considered inconsistent with effective international cooperation in criminal matters, while recognizing the need for fully effective mechanisms for extraditing fugitives;

9. *Invites* Member States to consider, where applicable and within the framework of national legal systems, the following measures in the context of the use and application of extradition treaties or other arrangements:

(*a*) Establishing and designating a national central authority to process requests for extradition;

(*b*) Undertaking regular reviews of their treaty or other extradition arrangements and implementing legislation, as well as taking other necessary measures for the purpose of rendering such arrangements and legislation more efficient and effective in combating new and complex forms of crime;

(*c*) Simplifying and streamlining procedures necessary to execute and initiate requests for extradition, including the provision to requested States of information sufficient to enable extradition;

(*d*) Reducing the technical requirements, including documentation, necessary to satisfy the tests for extradition in cases where a person is accused of an offence;

(*e*) Providing for extraditable offences to extend to all acts and omissions that would be criminal offences in both States carrying a prescribed minimum penalty and not to be individually listed in treaties or other agreements, particularly with respect to organized transnational crime;

(*f*) Ensuring effective application of the principle of *aut dedere aut judicare*;

(*g*) Paying adequate attention, when considering and implementing the measures mentioned in subparagraphs 9 (*b*) to (*f*) above, to furthering the protection of human rights and the maintenance of the rule of law;

10. *Encourages* Member States to promote, on a bilateral, regional or worldwide basis, measures to improve the skills of officials in order to facilitate extradition, such as specialized training and, whenever possible, secondment and exchanges of personnel, as well as the appointment in other States of representatives of prosecuting agencies or of judicial authorities, in accordance with national legislation or bilateral agreements;

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[5] E/CN.15/1997/6 and Corr.1, annex, section I, appendix II.

11. *Reiterates* its invitation to Member States to provide the Secretary-General with copies of relevant laws and information on practices related to international cooperation in criminal matters and in particular to extradition, as well as updated information on central authorities designated to deal with requests;

12. *Requests* the Secretary-General:

(*a*) Subject to extrabudgetary resources, to regularly update and disseminate the information mentioned in paragraph 11 above;

(*b*) To continue to provide advisory and technical cooperation services to Member States requesting assistance in the development, negotiation and implementation of bilateral, subregional, regional or international treaties on extradition, as well as in the drafting and application of appropriate national legislation, as necessary;

(*c*) To promote regular communication and exchanges of information between central authorities of Member States dealing with requests for extradition and to promote meetings of such authorities on a regional basis for Member States wishing to attend;

(*d*) To provide, taking into account the recommendations for a training programme[6] contained in the report of the Intergovernmental Expert Group Meeting, in cooperation with relevant intergovernmental organizations, with the participation of interested Member States at the intergovernmental organizational meeting referred to in the recommendations and subject to extrabudgetary resources, training for personnel in appropriate governmental agencies and central authorities of requesting Member States on extradition law and practice designed to develop necessary skills and to improve communications and cooperation aimed at enhancing the effectiveness of extradition and related practices;

13. *Also requests* the Secretary-General, subject to extrabudgetary resources and in cooperation with other relevant intergovernmental organizations, the United Nations Interregional Crime and Justice Research Institute and the other institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to develop appropriate training materials for use in providing to requesting Member States the technical assistance referred to above;

14. *Commends* the International Institute of Higher Studies in Criminal Sciences for its offer to organize and host a coordination meeting for the purpose of developing the training material referred to in paragraph 13 above, as well as training courses on extradition law and practice;

15. *Requests* the Secretary-General to ensure the full implementation of the provisions of the present resolution, and urges Member States and funding agencies to assist the Secretary-General in implementing the present resolution through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund;

16. *Also requests* the Secretary-General to submit the report of the Intergovernmental Expert Group Meeting on Extradition together with the present resolution to the Preparatory Committee on the Establishment of an International Criminal Court for consideration.

70th plenary meeting
12 December 1997

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[6] Ibid., appendix III.

ANNEX

Complementary provisions for the Model Treaty on Extradition

Article 3

1. Move the text of footnote 96 to the end of subparagraph (*a*) and add a new footnote reading: "Countries may wish to exclude certain conduct, e.g., acts of violence, such as serious offences involving an act of violence against the life, physical integrity or liberty of a person, from the concept of political offence".

2. Add the following sentence to footnote 97: "Countries may also wish to restrict consideration of the issue of lapse of time to the law of the requesting State only or to provide that acts of interruption in the requesting State should be recognized in the requested State".

Article 4

3. Add the following footnote to subparagraph (*a*): "Some countries may also wish to consider, within the framework of national legal systems, other means to ensure that those responsible for crimes do not escape punishment on the basis of nationality, such as, *inter alia*, provisions that would permit surrender for serious offences or permit temporary transfer of the person for trial and return of the person to the requested State for service of sentence".

4. Add to subparagraph (*d*) the same *aut dedere aut judicare* (either extradite or prosecute) provisions as are found in subparagraphs (*a*) and (*f*).

Article 5

5. Add the following footnote to the title of article 5: "Countries may wish to consider including the most advanced techniques for the communication of requests and means which could establish the authenticity of the documents as emanating from the requesting State".

6. Replace existing footnote 101 with the following text: "Countries requiring evidence in support of a request for extradition may wish to define the evidentiary requirements necessary to satisfy the test for extradition and in doing so should take into account the need to facilitate effective international cooperation".

Article 6

7. Add the following footnote to the title of article 6: "Countries may wish to provide for the waiver of speciality in the case of simplified extradition".

Article 14

8. Add the following footnote to subparagraph 1 (*a*): "Countries may also wish to provide that the rule of speciality is not applicable to extraditable offences provable on the same facts and carrying the same or a lesser penalty as the original offence for which extradition was requested".

9. Delete footnote 103.

10. Add the following footnote to paragraph 2: "Countries may wish to waive the requirement for the provision of some or all of these documents".

Article 15

11. Add the following sentence to footnote 105: "However, countries may wish to provide that transit should not be denied on the basis of nationality".

Article 17

12. Add the following sentence to footnote 106: "There may also be cases for consultation between the requesting and requested States for the payment by the requesting State of extraordinary costs, particularly in complex cases where there is a significant disparity in the resources available to the two States".

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NATIONS

A

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52/89. United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 51/61 of 12 December 1996 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[1] and further acknowledging the assistance rendered to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Reiterates* the need for strengthening the capacity of the Institute to support a national mechanism for crime prevention and criminal justice in African countries in view of the contribution that the Institute can make to the United Nations Crime Prevention and Criminal Justice Programme;

3. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

4. *Appeals* to all Member States and non-governmental organizations to adopt concrete practical measures to support the Institute in the development of the requisite capacity and in the elaboration and implementation of programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

[1] A/52/327.

5. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

6. *Also requests* the Secretary-General to enhance regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which could not be adequately dealt with by national action alone;

7. *Further requests* the Secretary-General to make concrete proposals to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/52/635)]

52/90. Strengthening the United Nations Crime Prevention and Criminal Justice Programme, particularly its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to the resolution,

Bearing in mind the goals of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and promotion of the highest standards of fairness, humanity and professional conduct,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including drug-related crimes, such as money-laundering, illicit arms trade and terrorist crimes, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Recognizing the urgent need to increase technical cooperation activities in order to assist countries, in particular developing countries and countries in transition, with their efforts in translating United Nations policy guidelines into practice,

Recalling its relevant resolutions in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 51/63 of 12 December 1996;[1]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme and the crucial role it has to play in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

3. *Also reaffirms* the priority of the Programme, in accordance with relevant resolutions, and requests the Secretary-General to further strengthen the Programme by providing it with the resources necessary for the full implementation of its mandate, including follow-up action to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,[2] and to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995;[3]

4. *Reaffirms* the high priority attached to technical cooperation and advisory services in the field of crime prevention and criminal justice, and stresses the need to continue to improve the operational activities of the Programme, in particular in developing countries and countries in transition, in order to meet the needs of Member States, at their request, for support in crime prevention and criminal justice;

5. *Calls upon* States and United Nations funding agencies to make significant financial contributions for the operational activities of the Programme, and encourages all States to make voluntary contributions for that purpose to the United Nations Crime Prevention and Criminal Justice Trust Fund, also taking into account the activities required for the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;

6. *Calls upon* all relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, the World Bank and other international, regional and national funding agencies, to support technical operational activities in this field and to include such activities in their programmes, utilizing the expertise of the United Nations Crime Prevention and Criminal Justice Programme in such activities and cooperating closely on relevant technical assistance projects and advisory missions;

7. *Takes note with appreciation* of the contributions of the Programme to United Nations peacekeeping and special missions, as well as its contributions to the follow-up to those missions, *inter alia*, through advisory services, and encourages the Secretary-General, as a way of strengthening the rule of law, to recommend the inclusion of the re-establishment and reform of criminal justice systems in peacekeeping operations;

8. *Requests* the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with other relevant bodies, such as the Commission on Narcotic Drugs, the Commission on Human Rights and the Commission on the Status of Women;

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[1] A/52/295.

[2] A/49/748, annex, chap.I, sect.A.

[3] See A/CONF.169/16.

9. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to improve the strategic management of the Programme and to exercise more vigorously its mandated function of resources mobilization, and calls upon the Commission to further strengthen its activities in that direction;

10. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session.

70th plenary meeting
12 December 1997